

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff, and

ESTATE OF RICHARD RASCHER,

Plaintiff-Intervenor,

v.

S&C ELECTRIC CO.,

Defendant.

Case No. 1:17-cv-06753

Judge Valderrama

**Plaintiff EEOC and Plaintiff-Intervenor Estate of Richard Rascher's
Deposition Designations**

Pursuant to the Court's June 15, 2021, *Order* Plaintiff EEOC and Plaintiff-Intervenor Estate of Richard Rascher submit their joint deposition designations. Plaintiffs' second motion in limine seeks to either exclude all testimony by any medical provider or, in the alternative, to limit the testimony to the scope of care they provided to Rascher. *See* ECF No. 144. The Court's ruling regarding this motion in limine will impact the designations submitted below for Drs. Park, Clay, Higgins, Bitran, and Jimenez. Further, while Plaintiffs are in the process of serving subpoenas to these providers for trial, to the extent they cannot appear, and to allow Defendant S&C Electric Co. time to respond to these designations prior to trial, the Plaintiffs submit them now.

3. Deposition Designation Chart

Witness	Line and Page Designation	Description	Relevance	Objection
Rascher	6:7-11	Name	General background	
Rascher	15:18-16:16	Education History	General background	
Rascher	17:19-49:6	Work History, Termination, Attempts to Return to Work	General background, qualifications, attempts to return to work	
Rascher	64:8-74:10	medical history	Context for leave.	
Rascher	74:20-77:15	medical history	Context for leave.	
Rascher	98:20-100:18	events leading to termination	Evidence of Rascher's attempt and ability to return to work.	
Rascher	104:12-106:5	events leading to termination	Evidence of Rascher's attempt and ability to return to work.	
Rascher	109:24-140:24	events leading to termination	Evidence of Rascher's attempt and ability to return to work.	
Rascher	151:7-152:2	medical history	Context and evidence of ability to return to work.	
Rascher	157:15-173:9	events leading to termination	Evidence of Rascher's attempt and ability to return to work.	

Rascher	176:1-182:23	events leading to termination	Evidence of Rascher's attempt and ability to return to work.	
Rascher	188:14-203:23	events leading to termination, attempts to return to work	Evidence of Rascher's attempt and ability to return to work.	
Rascher	205:19-206:13	events leading to termination, attempts to return to work	Evidence of Rascher's attempt and ability to return to work.	
Rascher	208:15-209:24	events leading to termination, attempts to return to work	Evidence of Rascher's attempt and ability to return to work.	
Rascher	214:13-219:12	events leading to termination, attempts to return to work	Evidence of Rascher's attempt and ability to return to work.	
Rascher	220:2-225:17	events leading to termination, attempts to return to work	Evidence of Rascher's attempt and ability to return to work.	
Park	5:9-15	name	General background	
Park	7:9-8:11	work history and Rascher introduction	General background and context	
Park	10:10-13	cancer diagnosis	Context for Rascher's initial leave	
Park	23:9-24:6	STD Request for first cancer surgery	Context for Rascher's initial leave	
Park	24:21-25:15	course of treatment	Context for Rascher's initial leave	
Park	26:21-28:15	progress from first cancer surgery	Context for Rascher's initial leave	

Park	34:14-35:7	STD Form and leave extension until 3/2015	Context for Rascher's initial leave	
Park	38:12-40:6	Rascher Physical Condition as of 1/2015	Context for Rascher's initial leave	
Park	43:10-18	course of treatment	Context for Rascher's initial leave	
Park	45:14-19	course of treatment	Context for Rascher's initial leave	
Park	54:11-56:3	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Park	57:2-17	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Clay	4:10-13	name	General Background	
Clay	5:23-6:18	work history	General Background	
Clay	18:20-24:15	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	

Clay	26:11-29:1	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Clay	42:2-22	ability to work in Nov. 2015	Evidence of Rascher's ability to return to work.	
Higgins	4:12-14	Name	General background	
Higgins	7:9-16	cv	General background	
Higgins	7:19-8:7	Rascher introduction	Context	
Higgins	9:9-13	primary care doctor	Context	
Higgins	31:2-33:11	no cognitive issues; return to work note	Evidence of Rascher's ability to return to work.	
Higgins	35:20-24	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Higgins	48:9-24	no recollection of mobility issues in April 2016	Evidence of Rascher's ability to return to work.	
Bitran	5:11-14	Name	General background	
Bitran	8:1-14	Rascher introduction	Context	
Bitran	86:22-88:3	return to work authorization	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Bitran	90:7-19	could return to sedentary work	Evidence of Rascher's ability to return to work.	

Bitran	94:12-23	1/2016 Rascher doing his own housework	Evidence of Rascher's ability to return to work.	
Bitran	137:18-139:1	return to work authorization	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Jimenez (part1)	4:5	name	General background	
Jimenez (part1)	5:6-20	CV	General background	
Jimenez (part1)	6:22-7:3	fracture	Context for Rascher's leave.	
Jimenez (part1)	9:18-10:2	fracture	Context for Rascher's leave.	
Jimenez (part1)	16:23-17:17	hip had healed	Evidence of Rascher's ability to return to work.	
Jimenez (part1)	45:24-46:5	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Jimenez (part1)	47:6-48:19	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
Jimenez (part 2)	8:13-9:23	Sept. 2015 physical condition	Evidence of Rascher's ability to return to work.	

Jimenez (part 2)	44:5-56:8	return to work note	Evidence of Rascher's ability to return to work, and Defendant's notice that Rascher was able to return to work.	
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Dated: July 6, 2021

Respectfully submitted,

s/ Miles Shultz

Miles Shultz

Trial Attorney

U.S. Equal Employment

Opportunity Commission

230 S. Dearborn St., Suite 2920

Chicago, Illinois 60604

Miles.Shultz@EEOC.Gov

s/ Joette S. Doran

Attorney for Plaintiff-Intervenor,

Estate of Richard Rascher

Joette S. Doran & Associates, P.C.

2300 N. Barrington Rd., Suite 400

Hoffman Estates, IL 60169

joette@joettedoran.com